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Deputy Secretary

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

May 22, 2014

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
Thurgood Marshall - United States Courthouse
40 Foley Square
New York, New York 10007

Re: United States v. Vanessa Bandrich, 12 Cr. 934

Dear Judge Abrams:

I respectfully submit this letter in my capacity as the Deputy Secretary of Homeland Security (DHS). I write in regards to the sentencing of defendant Vanessa Bandrich in the above-referenced case.

Defendant Vanessa Bandrich's conspiracy to commit large-scale immigration fraud endangered the public, compromised the integrity of the immigration system, victimized legitimate asylum seekers by drawing on limited agency resources, imposed additional costs to law-abiding immigrants, and squandered American taxpayer resources. Our Department, along with our partners in the law enforcement community, devote significant resources to deter unscrupulous practitioners from exploiting our immigration programs. To protect the public and to deter the defendant and others from attempting similar schemes in the future, it is important that substantial sentences be imposed when large-scale immigration fraud is identified. I am hopeful you will consider this submission on behalf of DHS in your current deliberations regarding the appropriate sentence for the defendant.

Given the DHS role in uncovering the initial scheme and our extensive efforts to support the subsequent law enforcement investigations, DHS welcomed the December 2012 indictment and arrest of more than two dozen individuals charged in this conspiracy to commit immigration fraud. It is estimated that the implicated individuals have been connected to over 5,000 asylum applications thus far, in addition to 5,000-10,000 related applications and petitions for immigration benefits such as work authorization, status for following-to-join family members, refugee travel documents, and adjustment to permanent resident status.

Largely fueled by these fraudulent asylum filings, our U.S. Citizenship and Immigration Services (USCIS) New York Asylum Office experienced nearly a 500 percent increase in the number of asylum filings by Chinese nationals in a six-year period. As these cases continue to work their way through the immigration system and individuals are placed into removal proceedings, this infusion of fraudulent applications also has increased the workload of our

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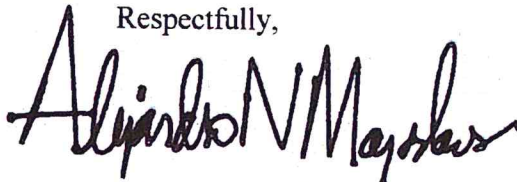
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U.S. Immigration and Customs Enforcement (ICE) investigators and trial attorneys and the Department of Justice's Executive Office for Immigration Review (EOIR) immigration courts. The resources necessary to investigate and administratively process the cases involved in this fraud scheme are both significant and ongoing. It will require thousands of hours over the coming months and years to separate the legitimate asylum seekers from those with fabricated claims and to initiate termination proceedings for those who gained asylum status through fraud.

In addition to the substantial financial costs outlined above, the individuals involved in this conspiracy have done incalculable harm to legitimate asylum seekers whose claims have been delayed by the inundation of fraudulent cases into the system. Many of the legitimate asylum seekers are separated from family members overseas who may still be in harm's way, unable to be reunited until their asylum applications are adjudicated and approved. These very real human costs, when added to the already substantial financial costs resulting from this fraud, demand an appropriately substantial punishment for the perpetrators.

The Department has been unwavering in its dedication to fulfilling the mission of offering protection from persecution to genuine refugees, consistent with the United States' longstanding international treaty obligations. The United States presents a model of humanitarian protection for the rest of the world. Our dedication to this noble mission is matched by our resolve to ensure and strengthen the integrity of the asylum program. We ask the Court to help us protect this mission and the integrity of the program through your resolute sentencing in this case.

Respectfully,

A handwritten signature in black ink, appearing to read "Alejandro N. Mayorkas". The signature is fluid and cursive, with the first name "Alejandro" being the most prominent part.

Alejandro N. Mayorkas

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